

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 18-20074

Hon. Mark A. Goldsmith

vs.

TRASHAWN JOHNSON,

Defendant.

**OPINION & ORDER**

**DENYING DEFENDANT TRASHAWN JOHNSON'S  
MOTION FOR EXTENSION (Dkt. 33)**

On January 4, 2021, the Court denied without prejudice Trashawn Johnson's motion for compassionate release due to Johnson's failure to exhaust his administrative remedies (Dkt. 32). On January 11, 2021, the Court received the instant motion for extension, postmarked December 17, 2020 (Dkt. 33). Johnson requests that the Court waive the exhaustion requirements of 18 U.S.C. § 3582(c)(1)(A) so that he may seek compassionate release without first complying with these requirements.

As the Court explained in its January 4, 2021 opinion, before seeking compassionate release from federal courts, prisoners must "fully exhaust[ ] all administrative rights" or, alternatively, must wait for 30 days after the warden's "receipt of [their] request." 18 U.S.C. § 3582(c)(1)(A). The Sixth Circuit recently held, among other things, that there are no statutory exceptions to this exhaustion requirement. United States v. Alam, 960 F.3d 831, 835-836 (6th Cir. 2020).

In light of the Sixth Circuit's clear instruction on exhaustion, Johnson's motion for extension (Dkt. 33) is denied.

SO ORDERED.

Dated: January 14, 2021  
Detroit, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 14, 2021.

s/Karri Sandusky  
Case Manager